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Counsel for Defendant
McDonald's Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Eugina Harris, individually, and on behalf
of all those similarly situated,

Plaintiff,

v.

McDonald's Corporation,

Defendant.

Case No. 3:20-cv-06533-RS

Assigned to Judge Richard Seeborg

**DECLARATION OF SARAH L.
BREW IN SUPPORT OF
ADMINISTRATIVE MOTION FOR
ENLARGEMENT OF TIME TO
RESPOND TO THE COMPLAINT**

1 I, Sarah L. Brew, declare as follows:

2 1. I am a member of the State Bar of Minnesota and the State Bar of
3 Wisconsin and am admitted *pro hac vice* to practice law before this Court in the above-
4 captioned action. (ECF No. 22.) I am a partner with the law firm Faegre Drinker Biddle
5 & Reath LLP and counsel for Defendant McDonald's Corporation ("McDonald's") in
6 this action. I have personal knowledge of the facts set forth in this declaration, and if
7 called as a witness, I could and would testify truthfully to these facts.

8 2. I make this declaration in support of McDonald's Administrative Motion
9 for Enlargement of Time to Respond to the Complaint.

10 3. Counsel for the parties have conferred regarding McDonald's request for
11 30 additional days to respond to the Complaint, but they have not been able to reach an
12 agreement.

13 4. The allegations in this action are nearly identical to those made in *Webber*
14 *v. McDonald's Corp.*, No. 7:20-cv-02058 (S.D.N.Y. Mar. 8, 2020) (the "*Webber*"
15 action). One of Plaintiff's counsel in this action, Spencer Sheehan, is also counsel for the
16 plaintiff in the *Webber* action.

17 5. The *Webber* action is pending before the Honorable Kenneth M. Karas.
18 Judge Karas has adopted a pre-motion conference procedure, which requires a party
19 bringing a motion to dismiss to first file a letter stating the grounds for the motion. The
20 non-moving party must respond by similar letter, and then Judge Karas holds a pre-
21 motion conference to discuss the issues and potentially set a briefing schedule for the
22 motion. The moving party's letter stays the deadline to answer or move until further
23 order from the court.

24 6. McDonald's filed a pre-motion letter regarding Ms. Webber's initial
25 complaint on July 31, 2020. In response, Ms. Webber indicated that she intended to
26 amend her complaint and requested an extension of time to do so. McDonald's consented
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1 to Ms. Webber's request for an extension of time. Ms. Webber filed her amended
2 complaint on September 29, 2020.

3 7. On October 27, 2020, McDonald's filed a pre-motion letter regarding its
4 anticipated motion to dismiss the amended complaint. On November 3, 2020, Ms.
5 Webber filed a response to McDonald's letter. On November 5, 2020, Judge Karas
6 entered an order scheduling a pre-motion conference for December 2, 2020.

7 I declare under penalty of perjury under the laws of the United States and the State
8 of Minnesota that the foregoing is true and correct.

9 Executed on November 19, 2020, at Minneapolis, Minnesota.

10 /s/ Sarah L. Brew

11 Sarah L. Brew
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